Appointment of Successful OBC Candidates

†2399. SHRI RAMGOPAL YADAV:
SHRI RAMA SHANKER KAUSHIK:

Will the PRIME MINISTER be pleased to state:

(a) whether the Union Pubblic Service Commission had recommended for giving appointments to the successful candidates of other backward classes who had qualified in the Civil Services Examinations, 1997;

(b) if so, the number of recommended candidates and whether Government have appointed any candidates out of them;

(c) if so, the details thereof; and

(d) if not, the reaons therefor?

THE MINISTER OF STATE OF DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSION AND PENSIONERS' WELFARE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) to (d) Union Public Service Commission, (hereaftr referred to as UPSC) had recommended a total of 215 candidates, belonging to Other Backward Classes (OBCs) for appointment on the basis of the Civil Services Examination (CSE) 1997: of these, 166 candidates had been recommended by relaxed standards for the 166 vacancies reserved for OBCs, whereas 49 candidates belonging to OBC category were

recomtiended as part of the list of general category candidates as they had qualified the CSE 1997 without availing any of the concessions/relaxations available for the OBCs.

The combined order of merit declared by UPSC forms the basis of service allocation to 28 different services/posts having regard to the position in order of merit, order of preference for the available services, category-wise vacancy, status on medical fitness and previous employment. In the course of allocation of service, it was found that out of the 49 OBC candidates, who had been recommended as part of the list of the pftneral category candidates,

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only two could be allocated to a service of their higher preference without availing the benefit of reservation for purposes of service allocation and were, as such, adjusted against unreserved vacancies. The remaining 47 candidates, however, who could be allocated to the service of their higher preference only through relaxed standards for purposes of service allocation were given the benefit of reservation for the purpose of allocation to a service of their higher preference and, hence, were adjusted against OBC vacancies in that service. As such, there were 213 (166+47) OBC candidates available for allocation to the 166 reserved vacancies for the OBCs. Of these 213 OBC candidates:—

(a) 166 OBC candidates were allocated to various services;

(b) 30 OBC candidates were ineligible for allocation as they either had already accepted allocation to a service on the basis of an earlier Civil Services Examination and had not qualified for allocation to services/posts which were higher in the order of preference as per Rule 18 of the CSE, 1997 Rules, or were declared physically unfit by Medical Board for appointment;

(c) the remaining 17 OBC candidates could not be a allocated to a service on the basis of CSE 1997 due to the non-availability of vacancy at their turn in the merit order under the OBC category.

3. The manner of service allocation followed by the Government is strictly in accordance with the ratio laid down by the Hon'ble Supreme Court in the case of Ritesh R. Shah (JT 1996 (2) Se 495); M. Neethi Chandra (1996 6 *SCC* 36) and Dr. Anil Kumar (1998 9 SCC 405). Some of the recommended OBC candidates who could not be allocated to a service also agitated the matter before CAT Hyderabad Bench (A. Murali Manohan and N. Vijay Bhaskar) and CAT Principal bench (Satya Prakash and Anil Kumar) and both benches of the CAT upheld the manner of service allocation as followed by the Government.